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*Attorneys for General Motors LLC*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |
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|   | X |
| <b>In re</b>  | : |
|   | : |
| <b>MOTORS LIQUIDATION COMPANY, <i>et al.</i>,<br/>f/k/a General Motors Corp., <i>et al.</i></b> | : |
|   | : |
| <b>Debtors.</b>   | : |
|   | : |

**GENERAL MOTORS LLC'S COUNTER-DESIGNATION  
OF ADDITIONAL ITEMS TO BE INCLUDED IN THE RECORD  
ON APPEAL REGARDING THE APPEALS OF THE  
BANKRUPTCY COURT'S JULY 12, 2017 OPINION [ECF NO. 13992]**

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), General Motors LLC ("New GM") submits this counter-designation of additional items to be included in the record on appeal in connection with the appeals of the *Memorandum Opinion and Order Deciding Certain 2016 Threshold Issues*, dated July 12, 2017 [ECF No. 13992] (the "July 2017 Opinion").

### **COUNTER-DESIGNATION OF RECORD**

In addition to the items designated by Appellants in their Statements of Issues on Appeal and Designations of Record on Appeal [ECF Nos. 14034, 14035, 14036, 14040 and 14042],<sup>1</sup> New GM submits the following designation of additional items to be included in the record on appeal of the July 2017 Opinion (including any exhibit, annex, appendix or addendum thereto):

| <b><u>Item No.</u></b> | <b><u>Date Filed</u></b> | <b><u>Description</u></b>   | <b><u>Docket No.</u></b> |
|------------------------|--------------------------|---|--------------------------|
| 1.                     | 8/08/14                  | Agreed And Disputed Stipulations Of Fact Pursuant To The Court's Supplemental Scheduling Order, Dated July 11, 2014   | 12826                    |
| 2.                     | 8/19/2015                | Case Management Order Re: No-Strike, No Stay, objection, and GUC Trust Asset Pleadings  | 13383                    |
| 3.                     | 8/26/2015                | Letter in Response to Case Management Order, dated August 19, 2015  | 13416                    |
| 4.                     | 9/3/2015                 | Scheduling Order Signed on 9/3/2015 Regarding Case Management Order Re: No-Strike, No Stay, Objection, and GUC trust Asset Pleading   | 13416                    |
| 5.                     | 9/10/2015                | Certificate of Service  | 13428                    |
| 6.                     | 9/13/2015                | Memorandum of Law Post-Closing Ignition Switch Accident Plaintiffs' Memorandum Of Law With Respect To Punitive Damages Issue  | 13434                    |
| 7.                     | 9/13/2015                | Motion to Join Joinder of the Ignition Switch Plaintiffs and Non-Ignition Switch Plaintiffs to the Post-Closing Ignition Switch Accident Plaintiffs' Memorandum of Law With Respect to Punitive Damages | 13436                    |
| 8.                     | 9/13/2015                | Opening Brief By General Motors LLC With Respect To Whether Plaintiffs May Seek Punitive Damages From General Motors LLC Based On the Conduct Of General Motors Corporation                             | 13437                    |
| 9.                     | 9/15/2015                | Transcript regarding Hearing Held on 8/31/2015  | 13438                    |
| 10.                    | 9/22/2015                | Post-Closing Ignition Switch Accident Plaintiffs' Reply with Respect to Punitive Damages Issue  | 13459                    |
| 11.                    | 9/22/2015                | Reply Brief By General Motors LLC With Respect To Whether Plaintiffs May Seek Punitive Damages From General Motors LLC Based On The Conduct Of General Motors Corporation                               | 13460                    |

<sup>1</sup> The Appellants in this matter are (i) Benjamin W. Pillars [ECF No. 14034], (ii) the Pilgrim plaintiffs [ECF No. 14035]; (iii) certain Post-Closing Accident Plaintiffs [ECF No. 14036]; (iv) certain plaintiffs represented by Gary Peller, Esq. [ECF No. 14040], and (v) Ignition Switch Plaintiffs and Certain Non-Ignition Switch Plaintiffs [ECF No. 14042]. As long as a document (including any exhibit, annex, appendix or addendum thereto) was designated by one of the Appellants, it will not be repeated herein.

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|-----|------------|---|-------|
| 12. | 9/22/2015  | Joinder of the Ignition Switch Plaintiffs and Non-Ignition Switch Plaintiffs to the Post-Closing Ignition Switch Accident Plaintiffs' Reply With Respect to Punitive Damages Issue                                  | 13461 |
| 13. | 10/15/2015 | Transcript regarding Hearing Held on Wednesday, October 14, 2015 at 9:46 AM RE: Scheduling Order Signed on 9/3/2015 Regarding Case Management Order Re: No-Strike, No Stay, Objection, and GUC Trust Asset Pleading | 13508 |
| 14. | 12/15/2015 | Notice of Appeal filed by Steve Berman on behalf of Ignition Switch Plaintiffs  | 13567 |
| 15. | 12/18/2015 | Notice of Appeal filed by William P. Weintraub on behalf of Hilliard Munoz Gonzales LLP and Thomas J. Henry Injury Attorneys  | 13572 |
| 16. | 12/28/2015 | Joint Notice of Appeal filed by Gary Peller on behalf of Paul Fordham, Tynesia Mitchell, Dierra Thomas, Momoh Kanu, Tina Farmer, Sharon Bledsoe, Celestine Elliott, Lawrence Elliott                                | 13575 |
| 17. | 12/28/2015 | Appellants' Statement of the Issues on Appeal And Designation of the Items to Be Included in the Record on Appeal   | 13576 |
| 18. | 12/28/2015 | Statement of Issues and Designation of Items [corrected] filed by Gary Peller   | 13578 |
| 19. | 12/30/2015 | Statement of Issues / Adams Plaintiffs' Statement of Issues and Designation of Record on Appeal   | 13579 |
| 20. | 11/10/2016 | Status Report Pursuant to the Court's Order Setting Case Management Conference for 11:30 a.m., November 16, 2016, entered on October 18, 2016 [ECF No. 13775]   | 13786 |
| 21. | 11/17/2016 | Transcript Regarding Hearing Held on 11/16/2016 RE: Case Management Conference  | 13796 |

Dated: New York, New York  
August 23, 2017

Respectfully submitted,

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